

REMARKS / ARGUMENTS

Claims 91 to 96, 103 and 104 are pending in the current application. Claims 91 and 103 have been amended and Claims 97 to 102 have been previously withdrawn.

Claims 91, 92, 94 to 96, 103 and 104 have been rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,081,083 to Glauser et al. ("Glauser") in view of US Patent No. 4,792,162 to Medvick ("Medvick"). Applicant has amended independent claims 91 and 103 to include the subject matter of the first and second portions being secured or integrated together prior to contact of the exhaust flange with a complementary, or mating, flange. Applicant respectfully submits that this subject matter is not disclosed in Glauser or Medvick.

Glauser discloses a subway coupler which includes a train air line connection **16** which includes a bushing **17** which contains an outer threaded surface **20** terminating in an outer bearing vertical surface **21**. This vertical surface **21** is part of a flat ring seal holder **25**. The air line connection also includes an inner threaded surface **22** terminating in a recessed vertical bearing surface **23** which is opposite the vertical surface **21**. The Examiner has stated that Glauser discloses a two-part flange with a first portion being the threaded surface **22** and the second portion being the flat ring seal holder **25**. However, these two parts are not secured together as required in Claim 91. Instead, as disclosed in column 2, lines 48 and 49, "The threaded surfaces are connected and the sealing means 24 is disposed between the bearing surfaces." As discussed in lines 50 to 51, the flat ring seal holder **25** is a part of the sealing means **24**. In this regard, the flat ring sealer is simply a part that is located once the two threaded surfaces are connected and not secured, as required. While the Examiner has indicated that the two portions are integrated, Applicant respectfully submits that they are not secured together prior to the threading between the inner threaded surface **22** and the outer threaded surface **20**.

This position is further supported by the Examiner's comments in paragraph 10 of the Office Action which states that "the first portion is secured to the second portion by the threaded engagement between the exhaust flange and a mating flange. This threaded engagement will secure the first portion and the second portion together since the threaded engagement will not allow movement of the second portion that is disposed between the mating flanges."

Applicant respectfully submits that Glauser does not disclose the subject matter of the amended independent claims.

Moreover, Medvick does not disclose this subject matter. Therefore, Applicant respectfully submits that one skilled in the art, when reading Glauser and Medvick, separately or together, would not be able to arrive at the invention claimed in Claims 91 or 103. Retraction of Examiner's rejection of Claims 91, 92, 94 to 96, 103 and 104 is respectfully requested.

Claims 91 to 93, 95, 96, 103 and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,944,319 to Kohlman ("Kohlman") in view of Medvick. Applicant respectfully disagrees. Independent Claims 91 and 103 are directed at two-piece flanges for use with an exhaust pipe.

Kohlman is directed at a method of forming a metal to metal seal between two confronting faces of pressure containing bodies which includes a first tubular pressure containing body 12 and a second tubular pressure containing body 14. The Examiner has suggested that the first portion can be seen as the first tubular pressure containing body while the second portion is truncated angular corners 22. Applicant respectfully disagrees. As disclosed in column 2 lines 66 to 67, the interior seal groove 20 (which includes the angular corners 22) is machined in the first pressure containing body 12 and therefore Kohlman does not disclose the subject matter of a two-piece flange as it is clearly describing as single-piece body having machined grooves.

If the Examiner considers the sealing ring 44 as the second portion, as disclosed in column 3 lines 2 to 4 illustrates that the second portion is not secured until the two pressure containing bodies 12 and 14 are brought into contact with each other and therefore the second portion is not "secured together prior to contact with a corresponding flange" as now claimed in each of the independent claims. It is respectfully submitted that Medvick is also silent with respect to this subject matter. Retraction of Examiner's rejection of 91 to 93, 95, 96, 103 and 104 is respectfully requested.

For the above reasons, it is respectfully submitted that the application is now in condition for allowance, which is requested.

Respectfully submitted,

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